

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Anteo PELLICONI, et al.

Serial No.: 10/518,882

Filed: December 20, 2004



Group Art Unit: 1796

Examiner: N.M. NUTTER

Title: **IMPACT-RESISTANT POLYOLEFIN COMPOSITIONS**

RESPONSE UNDER 37 C.F.R. §1.116

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action bearing a mailing date of November 1, 2007. The three-month shortened statutory period to respond was set to expire on February 1, 2008. As such, this response is timely filed.

In view of the following remarks, Applicant respectfully requests the Examiner to reconsider and withdraw the outstanding rejections and allow all claims pending in this application.

1. Double Patenting Rejection

The Office Action states,

Claims 1-11 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-9 of copending Application No. 10/518,692 (US 2006/0041072). Although the conflicting claims are not identical, they are not patentably distinct from each other because the compositional limitations overlap and include identical elements as recited herein having identical physical characteristics. Manipulation of the compositional limitations is within the skill of the artisan.

This is a provisional obviousness-type double patenting